

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

FWK Holdings, L.L.C., on behalf of itself and all others similarly situated

DEFENDANTS

See Attachment A

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Robert N. Kaplan, Kaplan Fox & Kilsheimer LLP, 850 Third Ave., 14th Floor,
New York, NY 10022, 212-687-1980

ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Violation of the Sherman Act, 15 U.S.C. § 1

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No Yes Judge Previously Assigned

If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No Yes

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

| | | TORTS | ACTIONS UNDER STATUTES | | | |
|---|--|--|---|--|----------------------|--|
| CONTRACT | PERSONAL INJURY | PERSONAL INJURY | FORFEITURE/PENALTY | BANKRUPTCY | OTHER STATUTES | |
| [] 110 INSURANCE | [] 310 AIRPLANE | [] 367 HEALTHCARE/ | [] 625 DRUG RELATED | [] 422 APPEAL | [] 375 FALSE CLAIMS | |
| [] 120 MARINE | [] 315 AIRPLANE PRODUCT | PHARMACEUTICAL PERSONAL | SEIZURE OF PROPERTY | [] 376 QUI TAM | | |
| [] 130 MILLER ACT | LIABILITY | INJURY/PRODUCT LIABILITY | 21 USC 158 | [] 400 STATE | | |
| [] 140 NEGOTIABLE INSTRUMENT | [] 320 ASSAULT, LIBEL & SLANDER | [] 365 PERSONAL INJURY | [] 423 WITHDRAWAL | REAPPORTIONMENT | | |
| [] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT | [] 330 FEDERAL EMPLOYERS' LIABILITY | PRODUCT LIABILITY | 28 USC 157 | [x] 410 ANTITRUST | | |
| OF JUDGMENT | [] 340 MARINE | [] 368 ASBESTOS PERSONAL INJURY | [] 690 OTHER | [] 430 BANKS & BANKING | | |
| MEDICARE ACT | [] 345 MARINE PRODUCT LIABILITY | PROPERTY | | [] 450 COMMERCE | | |
| [] 151 RECOVERY OF DEFOLTED | [] 350 MOTOR VEHICLE | [] 370 OTHER FRAUD | | [] 460 DEPORTATION | | |
| STUDENT LOANS (EXCL VETERANS) | [] 355 MOTOR VEHICLE | [] 371 TRUTH IN LENDING | | [] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO) | | |
| [] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS | PRODUCT LIABILITY | [] 380 OTHER PERSONAL PROPERTY DAMAGE | | [] 480 CONSUMER CREDIT | | |
| [] 160 STOCKHOLDERS SUITS | [] 360 OTHER PERSONAL INJURY | [] 385 PROPERTY DAMAGE | | [] 490 CABLE/SATELLITE TV | | |
| [] 190 OTHER CONTRACT | [] 362 PERSONAL INJURY - MED MALPRACTICE | PRODUCT LIABILITY | | | | |
| [] 195 CONTRACT PRODUCT LIABILITY | | | | | | |
| [] 196 FRANCHISE | ACTIONS UNDER STATUTES | PRISONER PETITIONS | LABOR | | | |
| | CIVIL RIGHTS | [] 463 ALIEN DETAINEE | [] 710 FAIR LABOR STANDARDS ACT | [] 861 HIA (1395f) | | |
| | | [] 510 MOTIONS TO VACATE SENTENCE | [] 720 LABOR/MGMT RELATIONS | [] 862 BLACK LUNG (923) | | |
| | | 28 USC 2255 | | [] 863 DIWC/DIWV (405(g)) | | |
| REAL PROPERTY | | [] 530 HABEAS CORPUS | [] 751 FAMILY MEDICAL LEAVE ACT (FMLA) | [] 864 SSID TITLE XVI | | |
| [] 210 LAND CONDEMNATION | | [] 535 DEATH PENALTY | [] 790 OTHER LABOR LITIGATION | [] 865 RSI (405(g)) | | |
| [] 220 FORECLOSURE | ACCOMMODATIONS | [] 540 MANDAMUS & OTHER | [] 791 EMPL RET INC SECURITY ACT (ERISA) | | | |
| [] 230 RENT LEASE & EJECTMENT | [] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT | | | | | |
| [] 240 TORTS TO LAND | [] 446 AMERICANS WITH DISABILITIES - OTHER | PRISONER CIVIL RIGHTS | IMMIGRATION | | | |
| [] 245 TORT PRODUCT LIABILITY | | [] 550 CIVIL RIGHTS | [] 462 NATURALIZATION APPLICATION | | | |
| [] 290 ALL OTHER REAL PROPERTY | | [] 555 PRISON CONDITION | [] 465 OTHER IMMIGRATION ACTIONS | | | |
| | | [] 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT | | | | |

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?
IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint

JURY DEMAND: YES NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN X IN ONE BOX ONLY)

- | | | | | | | |
|---|---|--|---|--|---|---|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from (Specify District) | <input type="checkbox"/> 6 Multidistrict Litigation (Transferred) | <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge |
| <input type="checkbox"/> a. all parties represented | | | <input type="checkbox"/> b. At least one party is pro se. | | | |
| <input type="checkbox"/> 8 Multidistrict Litigation (Direct File) | | | | | | |

(PLACE AN X IN ONE BOX ONLY)

- 1 U.S. PLAINTIFF 2 U.S. DEFENDANT 3 FEDERAL QUESTION 4 DIVERSITY
(U.S. NOT A PARTY)

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.**CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)**

(Place an [X] in one box for Plaintiff and one box for Defendant)

| CITIZEN OF THIS STATE | PTF [] 1 | DEF [] 1 | CITIZEN OR SUBJECT OF A FOREIGN COUNTRY | PTF [] 3 | DEF [] 3 | INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE | PTF [] 5 | DEF [] 5 |
|--------------------------|--------------|--------------|---|--------------|--------------|---|--------------|--------------|
| CITIZEN OF ANOTHER STATE | [] 2 | [] 2 | INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE | [] 4 | [] 4 | FOREIGN NATION | [] 6 | [] 6 |

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

FWK Holdings, L.L.C.

800 Roosevelt Bldg. A, Ste. 120

Glen Ellyn, IL 601370000

DuPage County

**DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)**

See Attachment B

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.
 DO NOT check either box if this is a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTAN

DATE 12/23/2016 SIGNATURE OF ATTORNEY OF RECORD

RECEIPT # /s/ Robert N. Kaplan

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO

[x] YES (DATE ADMITTED Mo. 12 Yr. 1964)
Attorney Bar Code #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

Attachment A

ACTAVIS ELIZABETH, LLC
TEVA PHARMACEUTICALS USA, INC.
PLIVA, INC.
MYLAN INC.
MYLAN PHARMACEUTICALS INC.
UDL LABORATORIES, INC.
ENDO INTERNATIONAL PLC
PAR PHARMACEUTICALS HOLDINGS, INC.
HERITAGE PHARMACEUTICALS INC.
BRECKENRIDGE PHARMACEUTICALS, INC.
UPSHER-SMITH LABORATORIES, INC.

Attachment B

Actavis Elizabeth, LLC; 200 Elmora Ave., Elizabeth, NJ 07207
Teva Pharmaceuticals USA, Inc.; 1090 Horsham Road North Wales, PA 19454 USA
Pliva, Inc.; 72 Deforest Ave, East Hanover, NJ 07936
Mylan Inc.; 1000 Mylan Blvd., Canonsburg, Pennsylvania 15317
Mylan Pharmaceuticals Inc.; 781 Chestnut Ridge Road, Morgantown, West Virginia 26505
UDL Laboratories, Inc.; 1718 Northrock Ct, Rockford, IL 61103
Endo International PLC; First Floor, Minerva House, Simmonscourt Road, Ballsbridge, Dublin 4, Ireland
Par Pharmaceuticals Holdings, Inc.; One Ram Ridge Road, Chestnut Ridge, New York, 10977
Heritage Pharmaceuticals Inc.; 12 Christopher Way #300, Eatontown, NJ 07724
Breckenridge Pharmaceuticals, Inc.; 1 Passaic Ave, Fairfield, NJ 07004
Upsher-Smith Laboratories, Inc.; 6701 Evenstad Drive, Maple Grove, MN 55369